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Liquidating Trust*

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION**

In re:	:	Chapter 11
	:	
CIRCUIT CITY STORES, INC., <u>et al.</u> , <sup>1</sup>	:	Case No. 08-35653-KRH
	:	
Debtors.	:	(Jointly Administered)
	:	
	:	

**AMENDED NOTICE OF AGENDA OF MATTERS SCHEDULED FOR  
HEARING ON DECEMBER 20, 2011 AT 2:00 P.M. (EASTERN)**

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<sup>1</sup> The Debtors and the last four digits of their respective taxpayer identification numbers are as follows: Circuit City Stores, Inc. (3875), Circuit City Stores West Coast, Inc. (0785), InterTAN, Inc. (0875), Ventoux International, Inc. (1838), Circuit City Purchasing Company, LLC (5170), CC Aviation, LLC (0841), CC Distribution Company of Virginia, Inc. (2821), Circuit City Properties, LLC (3353), Kinzer Technology, LLC (2157), Abbott Advertising Agency, Inc. (4659), Patapsco Designs, Inc. (6796), Sky Venture Corp. (0311), PRAHS, Inc. (n/a), XSSstuff, LLC (9263), Mayland MN, LLC (6116), Courchevel, LLC (n/a), Orbyx Electronics, LLC (3360), and Circuit City Stores PR, LLC (5512). The address for Circuit City Stores West Coast, Inc. was 9250 Sheridan Boulevard, Westminster, Colorado 80031. For all other Debtors, the address was 9950 Mayland Drive, Richmond, Virginia 23233 and is currently 200 Westgate Parkway, Suite 100, Richmond, Virginia 23233.

Set forth below are the matters scheduled to be heard before The Honorable Kevin R. Huennekens, United States Bankruptcy Judge, in the United States Bankruptcy Court for the Eastern District of Virginia, U.S. Courthouse, 701 East Broad Street, Room 5000, Richmond, Virginia 23219-1888, on December 20, 2011 beginning at 2:00 p.m. Eastern.

## **I. CLAIM OBJECTIONS - SUBSTANTIVE HEARINGS**

1. Notice and Objection to Claim - *Liquidating Trust's Seventh Omnibus Objection to Claims (Reduction of Certain Partially Invalid Claims, Disallowance of Certain Invalid Claims and Reclassification of Certain Incorrectly Classified Claims)(To Correct Substantive Pleading --Replaces Docket Number 10044)* (Re: related document(s) 10044 Objection to Claim filed by Circuit City Stores, Inc. Liquidating Trust) (Docket No. 10045)

Related  
Documents:

- a. Order Sustaining Liquidating Trust's Seventh Omnibus Objection To Claims (reduction of certain partially invalid claims, disallowance of certain invalid claims and reclassification of certain incorrectly classified claims) (Re: related document(s) 10045 Sustaining Objection to Claim filed by Circuit City Stores, Inc. Liquidating Trust) (Docket No. 10863)
- b. Second Order Sustaining Liquidating Trust's Seventh Omnibus Objection To Claims (reduction of certain partially invalid claims, disallowance of certain invalid claims and reclassification of certain incorrectly classified claims) (Re: related document(s) 10863 No action taken on Order Re: Objection) (Docket No. 10983)
- c. Docket Entry – CONTINUED FOR STATUS HEARING AS TO CLAIMANTS ON EXHIBIT B FILING RESPONSES AND AS TO THOSE CLAIMANTS WITH WHOM THE TRUSTEE HAS AGREED TO EXTEND THE RESPONSE DEADLINE; SUSTAINED OR WITHDRAWN AS TO CERTAIN OTHERS AS SET OUT IN OPEN COURT(Re: related document(s) 10024 Objection to Claim filed by Circuit City Stores, Inc. Liquidating Trust, 10039 Objection to Claim filed by Circuit City Stores, Inc. Liquidating Trust, 10040 Objection to Claim filed by Circuit City Stores, Inc. Liquidating Trust, 10041 Objection to Claim filed by Circuit City Stores, Inc. Liquidating Trust, 10042 Objection to Claim filed by Circuit City Stores, Inc. Liquidating Trust, 10043 Objection to Claim filed by Circuit City Stores, Inc. Liquidating Trust, 10045 Objection to Claim filed by Circuit City Stores, Inc. Liquidating Trust, 10046 Objection to Claim filed by Circuit City Stores, Inc. Liquidating Trust, 10047 Objection to Claim filed by Circuit City Stores, Inc. Liquidating Trust) Hearing scheduled 10/19/2011

at 02:00 PM at Judge Huennekens' Courtroom, 701 E. Broad St., Rm. 5000, Richmond, Virginia. P. Beran for Liquidating Trust. (Docket No. 11147)

- d. Amended Second Order Sustaining Liquidating Trust's Seventh Omnibus Objection To Claims (reduction of certain partially invalid claims, disallowance of certain invalid claims and reclassification of certain incorrectly classified claims) (Re: related document(s) 10983 Supplemental Order) (Docket No. 11252)
- e. Response of TFL Enterprises LLC to the Liquidating Trust's Seventh Omnibus Objection to Claims (Reduction of Certain Partially Invalid Claims, Disallowance of Certain Invalid Claims and Reclassification of Certain Incorrectly Classified Claims) (Docket No. 10233)
- f. *Claimant(s) - TFL Enterprises LLC (Tech For Less - Notice of Hearing (Notice of Substantive Hearing (Seventh Omnibus Objection - Claim Number 13947))* (Re: related document(s)[10045] Objection to Claim filed by Circuit City Stores, Inc. Liquidating Trust) filed by Paula S. Beran of Tavenner & Beran, PLC on behalf of Circuit City Stores, Inc. Liquidating Trust. Hearing scheduled 11/21/2011 at 02:00 PM at Judge Huennekens' Courtroom (Docket No. 11373)
- g. Docket Entry - Continued for Status Hearing on 1/5/12 at 2:00 PM as to remaining unresolved claims; Continued for Substantive Hearing as to TFL Enterprises LLC on 12/20/11 at 2:00 pm (Re: related document(s)[10045] Objection to Claim filed by Circuit City Stores, Inc. Liquidating Trust) at Judge Huennekens' Courtroom, 701 E. Broad St., Rm. 5000, Richmond, Virginia. (Docket No. 11468)
- h. Reply - *LIQUIDATING TRUSTS REPLY BRIEF REGARDING OBJECTION TO ADMINISTRATIVE CLAIM FILED BY TECH FOR LESS LLC* (Re: related document(s)[10045] Objection to Claim filed by Circuit City Stores, Inc. Liquidating Trust) filed by Paula S. Beran of Tavenner & Beran, PLC on behalf of Circuit City Stores, Inc. Liquidating Trust (Docket No. 11566)
- i. Notice and Affidavit *Notice of Affidavit in Support of TFL Enterprises, LLCs Administrative Claim Request and Response to the Liquidating Filed by Tech For Less LLC* (Re: related document(s)[10045] Objection to Claim filed by Circuit City Stores, Inc. Liquidating Trust, [10233] Response filed by TFL Enterprise, LLC, [11566] Reply filed by Circuit City Stores, Inc. Liquidating Trust) filed by Sheila G. de la Cruz of Hirschler Fleischer, P.C. on behalf of TFL Enterprise, LLC. (Attachments: # (1) Exhibit(s) A) (Docket No. 11575)
- j. Notice and Affidavit *Notice of Affidavit in Support of TFL Enterprises, LLCs Administrative Claim Request and Response to the Liquidating Filed by Tech For Less LLC* (Re: related document(s)[10045] Objection to Claim filed by Circuit City Stores, Inc. Liquidating Trust, [10233] Response filed by TFL Enterprise, LLC, [11566] Reply filed by Circuit City Stores, Inc. Liquidating Trust) filed by

Sheila G. de la Cruz of Hirschler Fleischer, P.C. on behalf of TFL Enterprise, LLC. (Attachments: # (1) Exhibit(s) A)(Docket No. 11576)

- k. Amended Notice and Affidavit (*as to title only*) *Notice of Affidavit in Support of TFL Enterprises, LLCs Administrative Claim Request and Response to the Liquidating Trusts Reply Brief Regarding Objection to Administrative Claim* (Re: related document(s)[11575] Affidavit filed by TFL Enterprise, LLC) filed by Sheila G. de la Cruz of Hirschler Fleischer, P.C. on behalf of TFL Enterprise, LLC. (Attachments: # (1) Exhibit(s) A) (Docket No. 11577)
- l. Amended Notice and Affidavit (*as to title only*) *Notice of Affidavit in Support of TFL Enterprises, LLCs Administrative Claim Request and Response to the Liquidating Trusts Reply Brief Regarding Objection to Administrative Claim* (Re: related document(s)[11576] Affidavit filed by TFL Enterprise, LLC) filed by Sheila G. de la Cruz of Hirschler Fleischer, P.C. on behalf of TFL Enterprise, LLC. (Attachments: # (1) Exhibit(s) A) (Docket No. 11578)

Objection

Deadline: April 7, 2011 at 4:00 p.m.

Objections/  
Responses

Filed: Numerous

Status:

The Trust had noticed a substantive hearing on the Objection as it relates to claim of TFL Enterprises, LLC (Tech for Less). By agreement of the parties, this matter was continued until December 20, 2011 at 2:00 p.m. The Objection as it relates to all other remaining claims was set for a status hearing on January 5, 2012. At the hearing on December 20, 2011, the Trust will present evidence in support of its Objection as it relates to the claim of TFL Enterprises, LLC (Tech for Less) and request that the Court sustain the same.

## II. MOTIONS TO DISMISS

- 2. *Siegel v. Michael E. Foss, et al.*; Case No. 10-03619; Motion to Dismiss Pleading Plaintiff Alfred H. Siegel's Amended Complaint (Related Document(s) 4 Amended Complaint filed by Alfred H. Siegel) filed by William A. Gray of Sands Anderson PC on behalf of Brian S. Bradley, Bruce H. Besanko, David L. Mathews, et al. (Docket No. 17)

Related

Documents:

- a. *Brief in Support of Defendants' Motion to Dismiss the Trustee's First Amended*

*Complaint* (Re: related document(s) 4 Amended Complaint filed by Alfred H. Siegel, 17 Motion to Dismiss Pleading filed by Michael E. Foss, George D. Clark, Jr., Philip J. Dunn, Philip J. Schoonover, et al. (Docket No. 18)

- b. *Exhibit A to Defendants' Brief In Support of Their Motion to Dismiss the Trustee's First Amended Complaint* (Re: related document(s) 18 Brief filed by Steven P. Pappas, Michael E. Foss, George D. Clark, Jr., Philip J. Dunn, Philip J. Schoonover, et al. (Docket No. 19)
- c. *Exhibit B to Defendants' Brief in Support of Their Motion to Dismiss the Trustee's First Amended Complaint* (Re: related document(s) 18 Brief filed by Steven P. Pappas, Michael E. Foss, George D. Clark, Jr., Philip J. Dunn, Philip J. Schoonover, et al. (Docket No. 20)
- d. *Notice of Hearing and Notice of Motion* (Re: related document(s) 17 Motion to Dismiss Pleading filed by Michael E. Foss, George D. Clark, Jr., Philip J. Dunn, Philip J. Schoonover, et al. (Docket No. 21)
- e. *Stipulation for Continuance of Hearing and Extension of Response Deadline to Defendants' Motion to Dismiss the Trustee's First Amended Complaint* By Bruce H. Besanko, Brian S. Bradley, Kelly E. Breitenbecher, et al. (Docket No. 22)
- f. CONTINUED for status hearing with parties reserving rights, etc., as set out in stipulation being submitted by parties (Re: related document(s)[4] Amended Complaint filed by Alfred H. Siegel) Status Conference set for 9/21/2011 at 02:00 PM at Judge Huennekens' Courtroom (Docket No. 23)
- g. Order Continuing Hearing (Re: related document(s)[17] Motion to Dismiss Pleading filed by Michael E. Foss, George D. Clark, Philip J. Dunn, Philip J. Schoonover, Ronald G. Cuthbertson, Eric A. Jonas, Marc J. Sieger, Randall W. Wick, Reginald D. Hedgebeth, John J. Kelly, David L. Mathews, Irynne V. MacKay, Steven P. Pappas, Peter C. Weedfald, Marshall J. Whaling, Bruce H. Besanko, John T. Harlow, Jeffrey S. Stone, Brian S. Bradley, Kelly E. Breitenbecher, William E. McCoy) Hearing scheduled 9/21/2011 at 02:00 PM at Judge Huennekens' Courtroom (Docket No. 25)
- h. Docket Entry - Motion to Dismiss continued for Status Hearing(Re: related document(s)[17] Motion to Dismiss Pleading filed by Michael E. Foss, George D. Clark, Philip J. Dunn, Philip J. Schoonover, Ronald G. Cuthbertson, Eric A. Jonas, Marc J. Sieger, Randall W. Wick, Reginald D. Hedgebeth, John J. Kelly, David L. Mathews, Irynne V. MacKay, Steven P. Pappas, Peter C. Weedfald, Marshall J. Whaling, Bruce H. Besanko, John T. Harlow, Jeffrey S. Stone, Brian S. Bradley, Kelly E. Breitenbecher, William E. McCoy) Hearing scheduled 12/20/2011 at 02:00 PM at Judge Huennekens' Courtroom, 701 E. Broad St., Rm. 5000, Richmond, Virginia. L. Tavenner for Pltf.; Wm. Gray for Deft. (Docket No. 27)

Objection  
Deadline: Continued generally by agreement

Objections/  
Responses  
Filed:

Status: The parties are conducting mediation in the underlying adversary proceeding. The Trust desires that a status hearing on this matter be conducted on February 21, 2012 at 2:00 p.m.

Dated: Richmond, Virginia  
December 20, 2011

TAVENNER & BERAN, PLC

/s/ Paula S. Beran

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